

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**IN RE: REALPAGE, INC., RENTAL  
SOFTWARE ANTITRUST  
LITIGATION (NO. II)**

) **Case No. 3:23-md-03071**  
) **MDL No. 3071**  
)  
) **Judge Waverly D. Crenshaw, Jr.**  
)  
) **This Document Relates to:**  
) **3:23-cv-00326**  
) **3:23-cv-00378**  
) **3:23-cv-00391**  
) **3:23-cv-00445**  
) **3:23-cv-00742**  
) **3:23-cv-00979**

**THE THOMA BRAVO DEFENDANTS' MOTION TO DISMISS MULTIFAMILY  
PLAINTIFFS' SECOND AMENDED CONSOLIDATED CLASS ACTION COMPLAINT**

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendants Thoma Bravo Fund XIII, L.P.; Thoma Bravo Fund XIV, L.P.; and Thoma Bravo, L.P. (collectively, the “Thoma Bravo Defendants”) respectfully move to dismiss Plaintiffs’ Second Amended Consolidated Class Action Complaint (ECF No. 530, the “Complaint”) with prejudice.

Plaintiffs’ 297-page, 757-paragraph Complaint alleges a conspiracy between RealPage, Inc. (“RealPage”), approximately 50 of RealPage’s customers (the “Lessor Defendants”), and the Thoma Bravo Defendants in violation of federal (Count I) and state (Count II) antitrust laws. As set forth in the Thoma Bravo Defendants’ supporting memorandum, the Complaint alleges nothing beyond a generalized ownership interest in RealPage. But a parent company is not liable for the acts of its subsidiary solely by virtue of its ownership interest, and the failure to plead parent-specific allegations warrants dismissal. Having pleaded no facts sufficient to state any claim against the Thoma Bravo Defendants, Plaintiffs’ Complaint must be dismissed with prejudice.

Dated: October 9, 2023

Respectfully submitted,

By: /s/ Mark McKane, P.C.

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*XIV, L.P., and Thoma Bravo, L.P.*

**CERTIFICATE OF SERVICE**

I hereby certify that on October 9, 2023, a copy of the foregoing document was electronically filed with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing to all counsel of record.

/s/ Mark McKane, P.C.

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